

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claim 1 (Cancelled)

Claim 2 (Currently amended): The apparatus of claim 1 claim 4 wherein a first pattern is located on ~~with~~ a first vehicle structure and a second pattern, different from the first pattern, is located on ~~with~~ a second vehicle structure.

Claim 3 (Cancelled)

Claim 4 (Currently amended): An apparatus for controlling an actuatable occupant protection system in a passenger compartment of a vehicle, the apparatus comprising:

a camera configured for obtaining an image of a viewable field within the passenger compartment of the vehicle;

at least one pattern located on vehicle structures located within the viewable field;

means for detecting the pattern in the obtained image;

means for removing portions of the obtained image associated with vehicle structures having the pattern so as to obtain information regarding occupancy within the viewable field; and

means responsive to the obtained occupancy information for controlling
the actuatable occupant protection system,

The apparatus of claim 3 wherein the means for detecting the pattern in the obtained image includes means for forming a binary image from the obtained image, the means for forming the binary image including means for comparing pixel values of the obtained image with a threshold value and providing a binary zero when a respective pixel value fails to exceed the threshold value.

Claim 5 (Original): The apparatus of claim 4 wherein the means for comparing pixel values provides a binary one when the respective pixel value exceeds the threshold value.

Claim 6 (Currently amended): The apparatus of claim 4 further including means for creating an image mask of the vehicle structures having the pattern.

Claim 7 (Original) The apparatus of claim 6 wherein the means for removing portions of the obtained image associated with vehicle structures includes means for applying the image mask to the obtained image.

Claim 8 (Currently amended): The apparatus of claim 4 claim 4 wherein the at least one pattern is formed from a dye that is adapted to fluoresce at a near-infrared wavelength of light, the camera being a near-infrared camera that is adapted to obtain an image at the fluorescing near-infrared wavelength.

Claim 9 (Currently amended): An apparatus for controlling an actuatable occupant protection system in a passenger compartment of a vehicle, the apparatus comprising:

a camera configured for obtaining an image of a viewable field within the passenger compartment of the vehicle;

at least one pattern located on vehicle structures located within the viewable field, the at least one pattern being formed from a dye that is adapted to fluoresce at a near-infrared wavelength of light, the camera being a near-infrared camera that is adapted to obtain an image at the fluorescing near-infrared wavelength;

means for detecting the pattern in the obtained image;

means for removing portions of the obtained image associated with vehicle structures having the pattern so as to obtain information regarding occupancy within the viewable field;

means responsive to the obtained occupancy information for controlling the actuatable occupant protection system; and

The apparatus of claim 8 further including an optical filter associated with the camera, the optical filter allowing passage of a predefined range of near-infrared wavelengths of light and preventing passage of wavelengths of light outside of the predefined range.

Claim 10 (Original): The apparatus of claim 8 further including an illuminator adapted for illuminating the viewable field within the passenger compartment with near-infrared light.

Claim 11 (Currently amended): The apparatus of ~~claim 4~~ claim 4 wherein the actuatable occupant protection system includes an inflatable air bag, the means responsive to obtained occupancy information including an inflation-varying device for varying inflation of the inflatable air bag.

Claims 12-13 (Cancelled)

Claim 14 (Currently amended): The method of ~~claim 13~~ claim 16 wherein the step of locating at least one pattern on vehicle structures located within the viewable field includes the steps of locating a first pattern on a first vehicle structure and locating a second pattern, different from the first pattern, on a second vehicle structure.

Claim 15 (Cancelled)

Claim 16 (Currently amended): A method of controlling an actuatable occupant protection system in a passenger compartment of a vehicle, the method comprising the steps of:

obtaining an image of a viewable field within the passenger compartment of the vehicle;

locating at least one pattern on vehicle structures located within the viewable field;

detecting the pattern in the obtained image;

removing portions of the obtained image associated with vehicle structures having the pattern so as to obtain information regarding occupancy of within the viewable field; and

controlling the actuatable occupant protection system in response to the obtained occupancy information;

~~The method of claim 15~~ the step of detecting the ~~at least one~~ pattern in the obtained image further includes the step of forming a binary image from the obtained image by comparing pixel values of the obtained image with a threshold value and providing a binary zero when a respective pixel value fails to exceed the threshold value.

Claim 17 (Currently amended): The method of ~~claim 13~~ claim 16 further including the step of creating an image mask of the vehicle structures having the pattern.

Claim 18 (Original): The method of claim 17 wherein the step of removing portions of the obtained image associated with vehicle structures having the pattern further includes the step of applying the image mask to the obtained image.

Claim 19 (Currently amended): The method of ~~claim 13~~ claim 16 further including the step of forming the at least one pattern from a dye that is adapted to fluoresce at a near-infrared wavelength of light and wherein the step of obtaining an image of a viewable field within the passenger compartment of the vehicle includes the step of obtaining the image at the fluorescing near-infrared wavelength.

Claim 20 (Original): The method of claim 19 further including the step of illuminating the viewable field within the passenger compartment with near-infrared light.

Claim 21 (Cancelled)

Claim 22 (Currently amended): The apparatus of ~~claim 1~~ claim 4 wherein the pattern fluoresces when illuminated by light having a wavelength within a predetermined range.

Claim 23 (Currently amended): The apparatus of ~~claim 1~~ claim 22 wherein the wavelength within the predetermined range is a near infrared-red wavelength.